

## Widemere Recycling Facility

# INDEPENDENT ENVIRONMENTAL AUDIT

Prepared for Boral Recycling Pty Limited





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# 1 INTRODUCTION

## 1.1 Background

The Widemere Recycling Facility (the facility) is at Wetherill Park, in the Fairfield Local Government Area. Widemere is operated by Boral Recycling Pty Limited (Boral). The facility separates, crushes and blends construction and demolition waste with quarry material to produce a range of recycled aggregate and road base products.

The facility covers approximately 8 ha and comprises a weighbridge, office and amenities, spotter stations, receivals area, stockpiles, processing areas, water management areas and internal haul roads.

Development consent (DA 21-1-2002-i) was granted under the NSW *Environmental Planning and Assessment ACT 1979* (EP&A Act) in 2002 by the Minister for Planning. The consent was issued for the construction and operation of the facility, including processing of up to 600,000 tonnes per annum (tpa) of construction and demolition material.

The consent was modified in 2005 (MOD-126-8-2005-i) to increase the processing capacity to 750,000 tpa, increase hours of operation and modify processing operations to include a blending plant.

A new application was submitted in 2015 under Part 4.1 of the EP&A Act for State significant development. Development consent SSD-6525 (the consent) was granted for the facility to receive and process up to 1 million tpa (Mtpa) of non-putrescible construction and demolition waste.

The site was formerly a quarry between 1924 and 2002. From around 1975 to 1997 there was also an asphalt plant and associated stockpiling on the site. The site was used for stockpiling gravel and other construction materials from 1997 to 2002.

## 1.2 Objective

The objective of the independent environmental audit was to:

- review compliance of the development with the consent and identify areas for improvement; and
- assess the overall environmental performance of the operations and implementation of the environmental management plans and controls.

## 1.3 Scope

Conditions D7 and D8 of the consent require an independent environmental audit of the facility by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary.

To comply with the conditions, the audit:

- assessed the environmental performance of the development and whether it is complying with the requirements of the consent and environment protection licence (EPL 11815) (including any assessment, plan or program required under these approvals);
- reviewed the adequacy of any approved strategy, plan or program required under the consents;
- comprised:
  - a site visit including an audit meeting and inspection of the site's environmental performance;

- reviewing available information to inform the determination of compliance; and
  - consulting with regulatory authorities and stakeholders.
- recommended measures or actions to improve the environmental performance of the development, and/or any assessment, plan or program required under these approvals.

## 1.4 Review team

Element Environment Pty Limited (Element) was engaged by Boral to undertake the independent environmental audit. The audit team comprised:

- Neville Hattingh – Project Director/Technical Reviewer;
- Darren Green – Technical Reviewer; and
- Mark Roberts – Lead Auditor.

The audit team was endorsed by DPE per correspondence dated 21 December 2017 (refer **Appendix A**).

## 1.5 Audit criteria

The consent and EPL provided the primary criteria for the environmental audit.

The operational environmental management plan (OEMP) (April 2016) was referenced as secondary criteria relating to the environmental performance of the facility.

- The OEMP was revised in December 2017 to align with the consent. This plan has been submitted to DPE for approval and has not commenced implementation. Notwithstanding, it will be reviewed for compliance with Condition D2.

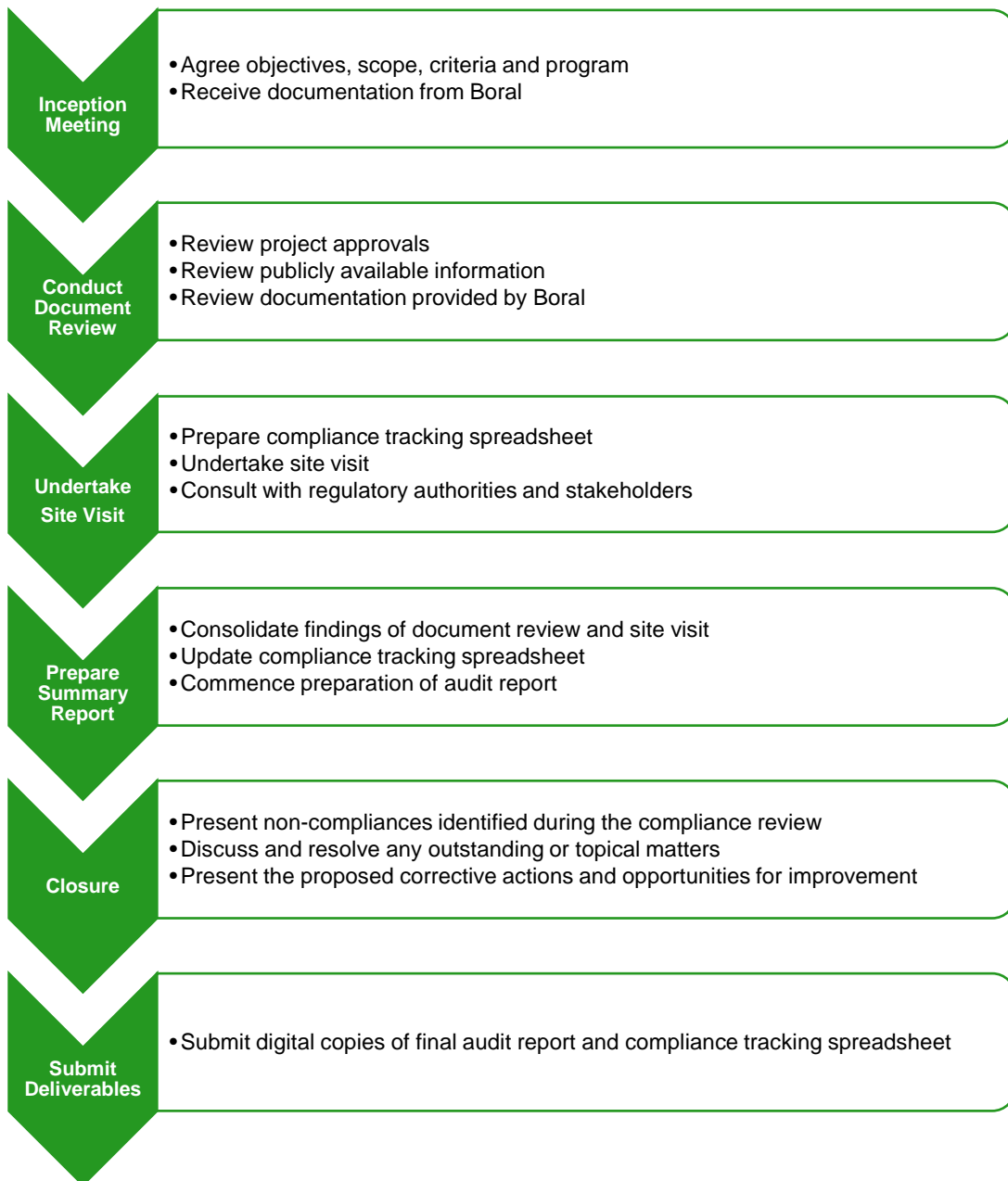
## 1.6 Note

It is noted that the consent was granted on 25 November 2016, which includes a component referred to as 'expanded operations'. The expanded operations are defined in the consent as "The point at which throughput exceeds 750,000 tonnes per annum of waste and receipt of additional waste streams occurs at the site". Many of the consent conditions are only triggered when expanded operations commence or are about to commence. This is stipulated in the relevant conditions and is why many are referred to as not triggered in this report.

Condition D12 requires preparation, approval and implementation of a new OEMP. This was submitted to DPE for approval in December 2017 and is still being reviewed. An existing OEMP is implemented at the facility until the new OEMP is implemented prior to expanded operations.

## 2 AUDIT METHOD

A systematic and documented approach to the independent environmental audit was adopted (**Figure 1**). The method is broadly based upon the principles of *Guidelines for auditing management systems* (ISO 19011:2011) and *Independent Audit Guideline* (DPE, October 2015).



**Figure 1** A simple process diagram of the systematic approach adopted for this independent environmental audit

### 2.1 Background review

Prior to the inception meeting and site visit, a request for information (RFI) in the form of a compliance tracking spreadsheet was issued to Boral in November 2017. This spreadsheet included the primary criteria that would be assessed for compliance. Boral provided available information between November 2017 to 26 January 2018.

## 2.2 Inception meeting

An inception meeting was held at the facility's site office on 30 November 2017. Attendees were Philip Paterson (Widemere Site Supervisor) and Mark Roberts (Element Lead Auditor).

During this meeting the scope of work, objectives and compliance criteria of the independent environmental audit were agreed. The agreed outcomes of this meeting are generally reflected in **Sections 1** and **2**.

## 2.3 Site inspection

Philip and Mark inspected the facility on 30 November 2017 commencing at 10h00.

The following areas/aspects were inspected:

- project boundary;
- weighbridge and spotter stations;
- storage and stockpiling areas;
- processing plant;
- blending plant;
- vehicle entry and exit points;
- workshop; and
- water collection/sedimentation dams.

## 2.4 Document review

During the document review the most pertinent and appropriate conditions from the primary criteria were discussed and documents or information which could be used to substantiate or demonstrate compliance were identified. Potential corrective actions, improvement opportunities and non-compliances were discussed and acknowledged. The outcomes of the site inspection and document review were captured in the compliance tracking spreadsheet, which was treated as a 'living' document during the audit and has been used to capture and record details of compliance against the compliance review criteria (detailed further in **Section 2.5.2**).

A copy of the compliance tracking spreadsheet for the site is included in **Appendix B**.

## 2.5 Reporting

### 2.5.1 Compliance assessment criteria

The compliance assessment criteria and risk levels set out in the *Independent Audit Guideline* (DPE, October 2015) have been applied to the audit. The assessment criteria are set out in **Table 1** and risk levels in **Table 2**.

**Table 1** Compliance assessment criteria

ASSESSMENT	CRITERIA
Compliant	Where the auditor has collected sufficient verifiable evidence to demonstrate that the intent and all elements of the requirement of the regulatory approval have been complied with within the scope of the audit.



Not verified	Where the auditor has not been able to collect sufficient verifiable evidence to demonstrate that the intent and all elements of the requirement of the regulatory approval have been complied with within the scope of the audit. In the absence of sufficient verification the auditor may in some instances be able to verify by other means (visual inspection, personal communication, etc.) that a requirement has been met. In such a situation, the requirement should still be assessed as not verified. However, the auditor could note in the report that they have no reasons to believe that the operation is non-compliant with that requirement.
Non-compliant	Where the auditor has collected sufficient verifiable evidence to demonstrate that the intent of one or more specific elements of the regulatory approval have not been complied with within the scope of the audit.
Administrative non-compliance	A technical non-compliance with a regulatory approval that would not impact on performance and that is considered minor in nature (e.g. report submitted but not on the due date, failed monitor or late monitoring session). This would not apply to performance-related aspects (e.g. exceedance of a noise limit) or where a requirement had not been met at all (e.g. noise management plan not prepared and submitted for approval).
Not triggered	A regulatory approval requirement has an activation or timing trigger that had not been met at the time of the audit inspection, therefore a determination of compliance could not be made.
Observation	Observations are recorded where the audit identified issues of concern which do not strictly relate to the scope of the audit or assessment of compliance. Further observations are considered to be indicators of potential non-compliances or areas where performance may be improved.
Note	A statement or fact, where no assessment of compliance is required.

Table 2 Risk levels for non-compliances

RISK LEVEL	COLOUR	DESCRIPTION
High		Non-compliance with potential for significant environmental consequences, regardless of the likelihood of occurrence
Medium		Non-compliance with: <ul style="list-style-type: none"> <li>▪ potential for serious environmental consequences, but is unlikely to occur; or</li> <li>▪ potential for moderate environmental consequences, but is likely to occur</li> </ul>
Low		Non-compliance with: <ul style="list-style-type: none"> <li>▪ potential for moderate environmental consequences, but is unlikely to occur; or</li> <li>▪ potential for low environmental consequences, but is likely to occur</li> </ul>
Administrative non-compliance		Only to be applied where the non-compliance does not result in any risk of environmental harm (e.g. submitting a report to government later than required under approval conditions)

## 2.5.2 Compliance tracking spreadsheet

The compliance tracking spreadsheet was used during the site inspection to record responses and feedback from the site representative. Gaps in information or matters requiring further clarification were recorded and additional information requested.

Following the site visit, an updated version of the compliance tracking spreadsheet was issued to Boral on 7 December 2017. The updated spreadsheet contained the information provided during the site inspection and highlighted where further information was required.

## 2.5.3 Audit report

The purpose of this report is to document the audit's scope, objectives, audit team, audit criteria, audit method, findings of the audit and recommendations for improvement.

A draft version of this report was provided to Boral for review to discuss the review findings and recommendations for improvement.

Boral may provide additional clarifying information. Thereafter, a final version of the report is to be provided to Boral, which is responsible for submitting to DPE.

## 3 AUDIT FINDINGS

### 3.1 Consultation

The Lead Auditor wrote to government authorities deemed relevant to this audit. The purpose of this correspondence was to request any feedback, or identify any key environmental issues, with regards to the development. A summary of the correspondence is listed below with full details included in **Appendix C**:

- Bianca Thornton (Planning Officer), Department of Planning and Environment, 31 January 2018;
- Thomas Minchin (Compliance and Investigations), Department of Planning and Environment, 31 January 2018;
- Deanne Pitts (A/Unit Head Waste Compliance), Environment Protection Authority, 31 January 2018; and
- Peta Lette (Coordinator, environmental management), Fairfield City Council, 31 January 2018.

No issues with the development were raised by Fairfield City Council. The DPE representatives did not reply to the correspondence.

The EPA replied that water pollution management was a key issue identified at the facility and consequently the facility was placed on a pollution reduction program in October 2016. Boral is still completing the requirements of this program. However, there have been no controlled discharges of water from the facility since the consent was granted.

The EPA also noted that it was consulted regarding management plans in October 2017 and commented on these plans in November 2017. These plans have not been finalised yet as they are still being reviewed by DPE.

### 3.2 Compliance with primary criteria

Audit findings in this section are summarised by exception only, e.g. non-compliant criteria are reported. For full details regarding the compliance status of each audit criterion please refer to **Appendix B**.

#### 3.2.1 Non-compliant condition

**Table 3** Non-compliant condition

CONDITION	DETAILS	RISK LEVEL
<b>SCHEDULE B, CONDITION B7  NON-COMPLIANT</b>	<p><b>Requirement</b> The Applicant shall not cause, permit or allow any materials or waste generated outside the site to be received at the site for storage, treatment, processing, reprocessing, or disposal on the site, except as expressly permitted by an EPL.</p> <p><b>Audit findings</b> The facility unknowingly accepted asbestos containing material (ACM), a portion of which was delivered to a customer. The EPL does not permit ACM to be received on site. The customer inspected the delivery, discovered the suspected ACM and notified Boral. Boral organised for the material to be tested, which was confirmed as asbestos cement, notified EPA and removed/disposed of the ACM as Special Waste (asbestos) at a licensed facility.</p>	<b>LOW</b>

CONDITION	DETAILS	RISK LEVEL
	<p>Boral tested the source stockpile at the facility and disposed of stockpiles containing ACM to EPA's satisfaction (correspondence from 23/02/2018 sighted).</p> <p>Boral implements a stringent waste inspection program and this occurrence was an accident. Boral implemented its testing and notification requirements as soon as it was notified of the incident, and EPA was satisfied with its process and outcomes and no notices were issued.</p> <p><b>Actions</b>  (1) Analyse the root cause of the situation and, if any processes are identified as requiring improvement, modify the OEMP accordingly.</p>	

### 3.2.2 Administrative non-compliant condition

**Table 4** Administrative non-compliant condition

CONDITION	DETAILS	RISK LEVEL
<p><b>SCHEDULE C, CONDITION C1</b></p> <p><b>ADMINISTRATIVE NON-COMPLIANCE</b></p>	<p><b>Requirement</b>  The Applicant shall prepare a Waste Monitoring Program for the Development. This program must:</p> <ul style="list-style-type: none"> <li>(a) be prepared in consultation with the EPA by a suitably qualified and experienced expert within 3 months of the date of this consent;</li> <li>(b) include suitable provision to monitor the: <ul style="list-style-type: none"> <li>(i) quantity, type and source of waste received on site; and</li> <li>(ii) quantity, type and quality of the outputs produced on site.</li> </ul> </li> <li>(c) ensure that: <ul style="list-style-type: none"> <li>(i) all waste that are controlled under a tracking system have the appropriate documentation prior to acceptance at the site; and</li> <li>(ii) staff receive adequate training in order to be able to recognise and handle any hazardous or other prohibited waste including asbestos.</li> </ul> </li> </ul> <p><b>Audit findings</b>  A waste monitoring program was prepared in June 2017 which contains the items required in the sub-conditions. This plan was not prepared within three months of the consent and correspondence with EPA and DPE has not been sighted from within that timeframe. The OEMP which is currently under review by DPE contains a waste monitoring program, which will be implemented prior to the commencement of the expanded operations. Correspondence with EPA and OEH has been sighted regarding the current OEMP and waste monitoring program. Current waste operations are managed under Appendix A.3 of the existing OEMP, which commenced in April 2016 and has been sighted by the auditor.</p> <p>It is noted that Appendix 2 of the consent states waste management during future operations would be consistent with current operations. The consent is inconsistent on this matter – further to the requirements of Condition C1, Condition B2 states</p>	<p>Administrative non-compliance</p>

CONDITION	DETAILS	RISK LEVEL
	<p>the development must be carried out in accordance with....(d) the management and mitigation measures. But, Condition B3 states that if there is an inconsistency between any documents and the consent, the consent shall prevail to the extent of the inconsistency. Therefore, the consent prevails and the condition is an administrative non-compliance.</p> <p><b>Actions</b> No action to be taken as the Waste Monitoring Program has been prepared and is being reviewed by DPE with the intent of implementing the plan prior to the start of expanded operations.</p>	

### 3.2.3 Observations

Table 5 Observations

CONDITION	DETAILS	RISK LEVEL
<p><b>SCHEDULE C, CONDITION C3</b></p> <p><b>OBSERVATION</b></p>	<p><b>Requirement</b> The Applicant shall comply with the construction and operation hours in Table 1 unless otherwise agreed to in writing by the Secretary.</p> <p><b>Audit findings</b> The weighbridge report for August 2017 has been sighted by the auditor, which shows loads being received just before 6am (earliest around 5:50am). The definition of operations in Table 1 of the consent includes “receipt” and provision of a docket means that the load has been received. Therefore, dockets issued before 6am implies receipt occurred.</p> <p>Trucks are admitted onto site prior to 6am to alleviate queuing on the public road, in accordance with Condition C53(a). By allowing trucks on site prior to 6am, the safety and traffic risks on the public road are reduced. Allowing trucks on site prior to 6am does not increase noise impacts as these trucks were already in the precinct, having travelled and potentially queued (if they were not allowed on site) on the public road. No plant or equipment is started prior to 6am. Therefore, the risk level is low which can be demonstrated by the lack of community and council complaints.</p> <p>It is observed that there is a conflict between conditions in the approval, as trucks are accepted on site slightly before 6am so that Condition C53(a) is complied with and they do not queue on the public road.</p> <p><b>Actions</b> (1) The period of conflict between the consent conditions is 5:50am to 6:00am. Therefore, Boral should apply to amend the consent and subsequently the EPL to allow earlier receipt of materials. (2) Boral liaise with delivery customers to dispatch trucks from their sites slightly later so that they arrive no earlier than 6am.</p>	<p><b>LOW</b></p>
<p><b>SCHEDULE D</b></p> <p><b>CONDITION D5</b></p>	<p><b>Requirement</b></p>	<p><b>LOW</b></p>

CONDITION	DETAILS	RISK LEVEL
<b>OBSERVATION</b>	<p>The Applicant shall notify, at the earliest opportunity, the Secretary and any other relevant agencies of any incident that has caused, or threatens to cause, material harm to the environment. For any other incident associated with the Development, the Applicant shall notify the Secretary and any other relevant agencies as soon as practicable after the Applicant becomes aware of the incident. Within 7 days of the date of the incident, the Applicant shall provide the Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.</p> <p><b>Audit findings</b> Asbestos containing material (ACM) was unknowingly received onsite and a portion was delivered to a customer. Boral notified EPA as soon as it became aware of the presence of the ACM and tested and removed it from the customer premises and the facility. The EPA was satisfied with the actions taken by Boral and did not issue any notices or penalties. This was regarded as an unexpected find under the inspection and receivals protocol. The EPA requested Boral amend the annual return to note a non-compliance with EPL Condition L4.1. Boral notified DPE of the receipt of ACM and revision of the annual return on 13/02/18 (correspondence sighted). There are no penalty notices, clean up notices or prevention notices for the site listed on EPA's POEO Public Register.</p> <p><b>Actions</b> No actions required.</p>	

### 3.2.4 Compliant and opportunities for improvement

**Table 3** Compliant and opportunities for improvement

CONDITION	DETAILS	RISK LEVEL
<b>SCHEDULE C, CONDITION C7</b>  <b>COMPLIANT</b>	<p><b>Requirement</b> The Applicant shall carry out noise and/or vibration monitoring in accordance with any requirements in the EPL. This shall include verification that the facility is operating in accordance with the criteria outlined in Condition C6.</p> <p><b>Audit findings</b> The EPL does not indicate when noise must be monitored. Therefore, noise has not been regularly monitored at the facility. The new OEMP, which is currently being reviewed by agencies, requires noise to be monitored every three years after consent.</p> <p><b>Improvement opportunity</b> (1) Update the EPL to include noise monitoring frequency so that opportunities for non-compliances with the consent are reduced.</p>	N/A

CONDITION	DETAILS	RISK LEVEL
<b>SCHEDULEC, CONDITION C15</b>  <b>COMPLIANT</b>	<b>Requirement</b> The Applicant shall ensure the development complies with any air quality limits in the EPL.  <b>Audit findings</b> There are no dust deposition limits in the EPL. However, the laboratory reports against the impact assessment criteria in <i>Approved methods for modelling and assessment of air pollutants in NSW</i> (EPA 2016). There have been exceedances of the deposited dust guideline values, however, this has not resulted in exceedances of EPL criteria.  <b>Improvement opportunity</b> (1) Update the EPL to include dust limits so that there is no ambiguity between it and the consent.	N/A

### 3.3 Compliance with secondary criteria

The site was observed to generally be implementing the measures stipulated in the existing OEMP and the Lead Auditor considers the site to be following the requirements of the management plans.

#### 3.3.1 Noise monitoring

Section 7.1 of the OEMP requires noise to be monitored to ensure noise criteria are not exceeded at sensitive receivers. However, there are no noise monitoring requirements in the EPL and noise has not been regularly monitored.

Attended and un-attended noise monitoring was carried out near sensitive receivers in 2005 for MOD-126-8-2005-i and in 2014 for SSD-6525 (*Boral Recycling Widemere Annual Review, Boral 2017*). The 2014 monitoring is representative of current operations at the facility as the expanded operations have not commenced yet.

The monitoring data from the two periods were compared, which showed the acoustic environment near the facility remained consistent between the periods (*Boral Recycling Widemere Annual Review Boral 2017*). Noise levels were more elevated in 2014 near the future residential area east of the facility due to recent commercial and industrial development in the Greystanes Estate Southern Employment Lands.

#### 3.3.2 Waste water quality

Section 7.2 of the OEMP requires surface water to be monitored from the detention dam prior to discharge. Further, the EPL requires monitoring of oil and grease, pH, total suspended solids and turbidity daily during any discharge at Monitoring Point 2, which is at the discharge point of Basin 2.

A water pollution management condition was placed on the EPL on 7 November 2016, which ordered the cessation of discharges from Monitoring Point 2 until a surface water characterisation assessment and surface water mitigation and monitoring plan are submitted to, and approved by, the EPA. These documents have been submitted to EPA and review is ongoing. As such, no controlled discharges have occurred since the consent was granted.

There were uncontrolled overflows at Monitoring Point 2 (Basin 2) on 02/03/2017 and 18/03/2017 due to runoff inflows exceeding the basin's design capacity, associated with 109 mm and 132 mm of rainfall on the respective dates. The EPL pH concentration limits were exceeded during both events and the total suspended solids concentration limit was exceeded during the 18/03/2017 event. Monitoring results were provided to EPA (correspondence from

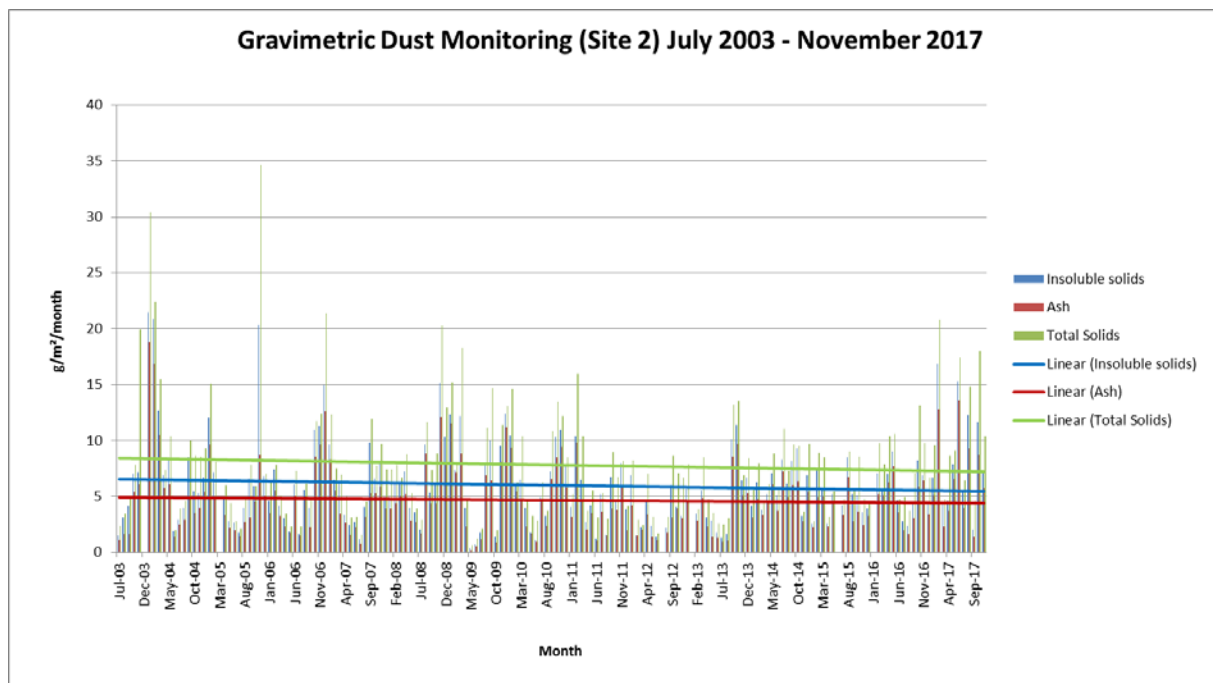
05/04/2017 sighted), EPA did not require any actions and did not issue any penalty or other notices.

### 3.3.3 Dust monitoring

Section 6.2.2 of the OEMP requires monitoring of particulate matter at EPL Monitoring Point 1. It is noted that neither the EPL nor OEMP contain dust criteria. Notwithstanding, Boral reports against the impact assessment criterion of 4 g/m<sup>2</sup>/month in EPA's (2005) *Approved methods for the modelling and assessment of air pollutants in New South Wales*.

Monitoring results for 2012 to 2017 demonstrate that the maximum annual average of insoluble solids at the site boundary exceed the goal. It is noted the gauge is within the facility and does not represent off site impacts.

It is shown in **Figure 1** that dust deposition is trending downwards and that there are spikes during the summer months.



**Figure 2** Gravimetric dust monitoring at Dust Monitor 2 (EPL Monitoring Point 1) July 2003 to November 2017 (Boral Recycling Widemere Annual Review 2017)

## 3.4 Complaints, incidents and penalties

The complaints register is provided on the facility's website. No complaints have been received at the facility since the consent was granted.

As described under Condition B7 in Table 4, ACM was unknowingly accepted at the facility. Once aware of the presence of ACM, Boral notified EPA, tested the material and disposed of it at a facility licensed to accept Special Waste (asbestos). EPA was satisfied with Boral's management of the situation and no notices or penalties were issued.

As described in Section 3.3.2, there were two uncontrolled water overflows at EPL Monitoring Point 2 on 2 and 18 March 2017. The EPL total suspended solids concentration limit was exceeded during the 18/03/2017 event. However, as this was not a controlled overflow, EPA was satisfied that the situation did not breach the EPL and no notices or penalties were issued.



Further, Condition C25 of the consent was not breached as the overflow was the result of rainfall exceeding 45 mm over five consecutive days.

## 4 CONCLUSION

The audit of the facility against the criteria in **Section 1.5** demonstrated the site is generally compliant with SSD-6525 and the facility's OEMP. Feedback from council did not highlight any areas of concern. The EPA noted that water pollution management was a key concern, however, there have not been any controlled discharges from the facility since the consent was granted.

Two non-compliant criteria (one of which was an administrative non-compliance) were identified and corrective actions have been suggested. Two observations were made on the criteria. It is acknowledged that these non-compliant and observed criteria are not believed to have resulted in material harm to the environment.

The corrective actions which have been identified in **Table 3**, **Table 4** and **Table 5** are summarised below:

1. analyse the root cause of the receipt of ACM and, if any processes are identified as requiring improvement, modify the OEMP accordingly;
2. apply to amend the consent and subsequently the EPL to allow earlier receipt of materials so that trucks do not queue on public roads; and
3. liaise with delivery customers to dispatch trucks from their sites slightly later so that they arrive no earlier than 6am.

Two improvement opportunities were identified during the audit to minimise potential future non-compliance and ensure ongoing environmental performance. These opportunities which have been identified in **Table 6** are summarised below:

1. the EPL does not indicate the frequency of noise monitoring to be undertaken. Update the EPL to include noise monitoring frequency so that opportunities for non-compliances with the consent are reduced;
2. there are no dust deposition limits in the EPL. Update the EPL to include dust limits so that there is no ambiguity between it and the consent.


In summary, the opinion of the Lead Auditor is that the facility is generally compliant with its primary and secondary criteria and that the environmental performance of the facility is satisfactory given the information provided during the audit and following an inspection of the site. The Lead Auditor agrees with the opinion that the operation presents a low environmental risk, and the data provided during the audit supports this opinion.

### 4.1 Limitations

The findings of this audit are based upon visual observations of the site and its vicinity, interviews with site personnel and our interpretation of documentation made available by Boral. Opinions presented herein apply to the site as observed at the times of the inspections and from information provided by Boral personnel. Any changes to this information of which Element is not aware and has not had the opportunity to evaluate therefore cannot be considered in this report.

Element have taken due care to consider all reasonably available information provided during the undertaking of this audit and have taken this information to represent a fair and reasonable characterisation of the environmental status of the facility, but recognise that any site assessment program is necessarily limited in scope and true site conditions may differ from those inferred from the available data.

## 5 INDEPENDENT AUDIT CERTIFICATION

Development Name	Widemere Recycling Facility
Development Consent No.	SSD-6525
Description of Development	The Widemere Recycling Facility is owned by Boral Recycling Pty Limited and is on the western side of Widemere Road, Wetherill Park, in the Fairfield Local Government Area. The facility separates, crushes and blends construction and demolition waste with quarry material to produce a range of recycled aggregate and road base products.
Development Address	Widemere Road, Wetherill Park NSW. Lot 4001, DP 1173524
Operator	Boral Recycling Pty Limited
Operator Address	Widemere Road, Wetherill Park NSW. Lot 4001, DP 1173524
Title of Audit	Widemere Recycling Facility Independent Environmental Audit, March 2018
<p>I certify that I have undertaken the independent audit and prepared the contents of the attached independent audit report to the best of my knowledge:</p> <ul style="list-style-type: none"> <li>▪ The audit has been undertaken in accordance with relevant approval condition(s) and in accordance with the auditing standard AS/NZS ISO 19011:2014 and Post Approval Guidelines – Independent Audits;</li> <li>▪ The findings of the audit are reported truthfully, accurately and completely;</li> <li>▪ I have exercised due diligence and professional judgement in conducting the audit;</li> <li>▪ I have acted professionally, in an unbiased manner and did not allow undue influence to limit or over-ride objectivity in conducting the audit;</li> <li>▪ I am not related to any owner or operator of the development as an employer, business partner, employee, sharing a common employer, having a contractual arrangement outside the audit, spouse, partner, sibling, parent, or child;</li> <li>▪ I do not have any pecuniary interest in the audited development, including where there is a reasonable likelihood or expectation of financial gain or loss to me or to a person to whom I am closely related (i.e. immediate family);</li> <li>▪ Neither I nor my employer have provided consultancy services for the audited development that were subject to this audit except as otherwise declared to the lead regulator prior to the audit; and</li> <li>▪ I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from fair payment) from any owner or operator of the development, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.</li> </ul> <p>Note.</p> <ul style="list-style-type: none"> <li>▪ The Independent Audit is an 'environmental audit' for the purposes of section 122B(2) of the <i>Environmental Planning and Assessment Act 1979</i>. Section 122E provides that a person must not include false or misleading information (or provide information for inclusion in) an audit report produced to the Minister in connection with an environmental audit if the person knows that the information is false or misleading in a material respect. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000.</li> <li>▪ The Crimes Act 1900 contains other offences relating to false and misleading information: section 192G (Intention to defraud by false or misleading statement-maximum penalty 5 years imprisonment); sections 307A, 307B and 307C (False or misleading applications/information/documents-maximum penalty 2 years imprisonment or \$22,000, or both).</li> </ul>	
Signature	
Name of Lead Auditor	Mark Roberts
Address	Unit 7, 37 Walton Crescent, Abbotsford NSW 2046
Email Address	darren@elementenvironment.com.au
Date	23 March 2018



# APPENDIX A

## DPE ENDORSEMENT LETTER



Philip Paterson  
Site Supervisor - Widemere  
Boral Recycling Pty Ltd  
38 Widemere Road  
WETHERILL PARK NSW 2164

Contact: Thomas Minchin  
Phone: (02) 8289 6623  
Email: [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au)

Email: [Philip.paterson@boral.com.au](mailto:Philip.paterson@boral.com.au)

Dear Mr Paterson

**Boral Widemere Construction Materials Recycling Facility - SSD 6525  
Independent Environmental Audit**

I refer to your letter of 8 November 2017 seeking the Secretary's endorsement for an auditor to undertake the Independent Environmental Audit (audit) under Condition D7 of State Significant Development – SSD 6525.

Having considered the qualifications and experience of the *Element Environment* team, namely:

- Neville Hattingh, Project Director/Technical Reviewer;
- Darren Green, Project Manager and Auditor; and
- Mark Roberts, Project Manager and Auditor,

the Secretary endorses the appointment of the above *Element Environment* team to undertake the audit in accordance with Condition D7 of Schedule D of SSD 6525. This approval is conditional on the *Element Environment* team being independent of the development.

The audit is to be conducted in accordance with AS/NZS ISO 19011 Australian/New Zealand Standard: Guidelines for quality and/or environmental management systems auditing.

The audit report is to include the following:

- a compliance table indicating the compliance status of each condition of approval and any relevant EPL
- not use the term "partial compliance"
- recommend actions in response to non-compliances
- review the adequacy of plans or programs required under this consent
- identify opportunities for improved environmental management and performance

Within three months of commissioning the audit, or otherwise as agreed by the Secretary, Boral Recycling Pty Ltd (Boral) is required to submit a copy of the audit report to the Secretary together with its response to any recommendations contained in the audit report and a timetable to implement the recommendations.

Prior to submitting the audit report to the Secretary, it is recommended that Boral review the report to ensure it complies with the relevant consent conditions.

Should you wish to discuss this matter please contact Thomas Minchin, Compliance Officer on the above number.

Yours sincerely

A handwritten signature in black ink, appearing to be 'K.R.' with a long horizontal stroke extending to the right.

Kirsty Ruddock

**Director - Compliance and Investigations** 21/12/17

As Nominee for the Secretary





# APPENDIX B COMPLIANCE TRACKING SPREADSHEET



**Site Name** Widemere Recycling Facility

City Wetherill Park NSW

Co-ordinates

**Document Control**

Issued 23-Mar-18

Issued by Mark Roberts

Status Complete

Approval Type	Traffic Light	Schedule	Schedule Title	Clause	Condition/Commitment/Mitigation Measure	Status	Details of Compliance	Compliant	Risk Level
Development Consent (SSD 6525)	OK	B	Obligation to Minimise Harm to the Environment	1	In addition to meeting the specific performance criteria established under this consent, the Applicant shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the Development.	Open	All practicable measures are being implemented. The facility has a good history of environmental management with no prevention, clean-up or penalty notices issued by the EPA. As described in the annual return, a number of additional environmental management measures were implemented during 2016/17 and more are planned for 2018. The facility unknowingly accepted asbestos containing material, a portion of which was delivered to a customer. The customer tested the material, discovered the ACM and notified the EPA. Subsequently, Boral tested the source stockpile at the Facility and disposed of stockpiles containing ACM to EPA's satisfaction (correspondence from 23/02/2018 sighted).	Compliant	
Development Consent (SSD 6525)	OK	B	Terms of Consent	2	The Applicant must carry out the development in accordance with the: a) EIS; b) RTS; c) Development layout plans and drawings in the EIS; and d) the management and mitigation measures.	Open	Based on this audit and site inspection it is believed the development is generally being carried out in accordance with the conditions of approval and all relevant environment assessment documents.	Compliant	
Development Consent (SSD 6525)	OK	B	Terms of Consent	3	If there is any inconsistency between the above documents, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this consent shall prevail to the extent of any inconsistency .	Open	An inconsistency was discovered associated with Condition C1 and the management and mitigation measures (Appendix 2), where the condition requires the preparation and approval of a waste monitoring program but Appendix 2 states the existing waste protocols will be implemented. This inconsistency is not material to operation of the facility as the waste monitoring program has been prepared and is being reviewed by DPE.	Note	
Development Consent (SSD 6525)	OK	B	Terms of Consent	4	The Applicant shall comply with any reasonable requirement(s) of the Secretary arising from the Department's assessment of: (a) any reports, plans or correspondence that are submitted in accordance with this consent; and (b) the implementation of any actions or measures contained within these reports, plans or correspondence.	Open	Condition D2 requires preparation of an OEMP prior to commencement of the expanded operations subject to Development Consent SSD 6525. The expanded operations have not commenced and will not commence during the timeframe of this audit. Notwithstanding, Boral has prepared the OEMP, which was submitted to DPE in December 2017. DPE responded on 19/01/2018 and requested further work on the OEMP to ensure it complies with Condition D2, and further consultation with EPA. The OEMP is being amended accordingly.	Note	
Development Consent (SSD 6525)	OK	B	Limits on Consent	5	This consent lapses five years after the date from which it operates, unless the Development has physically commenced on the land to which the consent applies before the date to which the consent applies before the date on which the consent would otherwise lapse under Section 95 of the EP&A Act.	Open	Noted. The consent for Modification 1 was issued on 25/11/2016 and will lapse in November 2021. Notwithstanding, the expanded operations will commence in the first half of 2018.	Note	
Development Consent (SSD 6525)	OK	B	Limits on Consent	6	The Applicant shall not receive or process on the site more than 1,000,000 tonnes of waste (as expressly permitted by an EPL) per year.	Open	Expanded operations have not commenced. Deliveries have not exceeded 750,000 tpa for 12 months.	Compliant	
Development Consent (SSD 6525)	Action	B	Limits on Consent	7	The Applicant shall not cause, permit or allow any materials or waste generated outside the site to be received at the site for storage, treatment, processing, reprocessing, or disposal on the site, except as expressly permitted by an EPL.	Open	loads are inspected at the weighbridge and dumping area. Waste is rejected if it does not comprise material listed under Condition L4.1 of the EPL. If other material is observed by spotters the load is rejected and reloaded. Some comingled contaminants such as plastic, timber and metal is separated during processing and either sent to landfill or offsite recycling facility. The facility unknowingly accepted asbestos containing material, a portion of which was delivered to a customer. The discovered the material and notified Boral. Subsequently, notified the EPA, organised testing and removal of the material/disposal at a licensed facility. Boral tested the source stockpile at the Facility and disposed of stockpiles containing ACM to EPA's satisfaction (correspondence from 23/02/2018 sighted).	Non-compliant	Low
Development Consent (SSD 6525)	OK	B	Limits on Consent	8	Virgin excavated natural material (VENM), timber, metal, plastic, glass, paper and cardboard, tree cuttings and tree trunks) when mixed with inert waste may only comprise up to 20% by mass of all stockpiles on the site at any one time.	Open	Visual inspection demonstrated minimal contamination. These materials are separated in the process and disposed offsite.	Compliant	
Development Consent (SSD 6525)	OK	B	Limits on Consent	9	Stockpiles of permitted waste and recycled product shall not be more than twenty (20) metres above ground level.	Open	The stockpiles are measured every month against the height of a 19m high onsite silo. The month and erosion inspecting the stockpile heights are recorded.	Compliant	

Development Consent (SSD 6525)	OK	B	Staged submission of plans or programs	10	With the approval of the Secretary, the Applicant may: (a) submit any strategy, plan or program required by this consent on a progressive basis; and/or (b) combine any strategy, plan or program required by this consent.	Open	Boral has not requested the progressive submission, or combination of, any plans required under the consent.	Note
Development Consent (SSD 6525)	OK	B	Staged submission of plans or programs	11	If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program shall clearly describe the specific stage to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program. A clear relationship between the strategy, plan or program that is to be combined shall be demonstrated.	Open	Boral has not requested the progressive submission, or combination of, any plans required under the consent.	Note
Development Consent (SSD 6525)	OK	B	Evidence of consultation	12	Where consultation with any public authority is required by the conditions of this consent, the Applicant shall: (a) consult with the relevant public authority prior to submitting the required documentation to the Secretary or the PCA (PAC?) for approval, where required; (b) submit evidence of this consultation as part of the relevant documentation required by the conditions of this consent; and (c) include the details of any outstanding issues raised by the relevant public authority and an explanation of disagreement between any public authority and the Applicant or any person acting on this development consent.	Open	The following conditions require Boral to consult with public authorities (It is noted much of this correspondence is for management plans under the expanded operations, however, the expanded operations have not commenced yet). The relevant agency and date consultation occurred, confirmed by observations during the audit, are listed. - C1: EPA regarding waste monitoring program - 27/10/2017. Appendix 2 states future waste management will be consistent with current operations. - C10: EPA regarding noise management plan - 09/11/2017. - C17: EPA regarding dust management plan - 09/11/2017. - C38: EPA regarding a groundwater monitoring program - required within 6 months of expanded operations, which have not commenced yet. - C41: EPA regarding surface water mitigation and monitoring plan. This plan is required to be prepared prior to any controlled discharges, however, there have been no controlled discharges since the consent. The plan has been prepared and submitted to EPA and OEH for review (revised plan submitted 7/12/2017). - C43: EPA regarding water quality validation report - this report is required to be submitted within three months of implementing the above plan as required, however, the above plan has not yet been implemented. - C46: EPA regarding an independent surface water audit - the audit is required following completion of the above report, however, as noted above; the report has not been required yet. - D7: relevant agencies regarding this independent audit - DPE (letter sent 31/01/2018), EPA (letter sent 31/01/2018, response received 01/02/2018), Fairfield City Council (letter sent 31/01/2018, response received 06/02/2018).	Compliant
Development Consent (SSD 6525)	OK	B	Dispute resolution	13	In the event that a dispute arises between the Applicant and Council or a public authority, in relation to an applicable requirement in this consent or relevant matter relating to the development, either party may refer the matter to the Secretary for resolution. The Secretary's determination of any such dispute shall be final and binding on the parties.	Open	No disputes with council or other agencies.	Not triggered
Development Consent (SSD 6525)	OK	B	Statutory requirements	14	The Applicant shall ensure that all licences, permits and approval/consents are obtained as required by law and maintained as required throughout the life of the Development. No condition of this consent removes the obligation for the Applicant to obtain, renew or comply with such licences, permits or approval/consents.	Open	An EPL (11815) was obtained as the facility is a scheduled activity (resource recovery and waste storage). The EPL was amended on 13/12/2016 to incorporate the approved expanded operations. The environmental performance of the facility is reported against the EPL in the annual return, with the most recent annual return being prepared and submitted in the timeframe of this audit. A water pollution study and reduction program was implemented on 07/11/2016, which required the facility to cease discharging water and engage a specialist to characterise pollutants in potential discharges. Boral is still in the process of completing the requirements of this program, as noted in EPA correspondence dated 01/02/2018.	Compliant
	OK	B	Meteorological monitoring	15	Within 3 months of the date of this consent, the Applicant shall ensure that there is a suitable meteorological station on the site that complies with the requirements in the latest version of the Approved Methods for Sampling of Air Pollutants in New South Wales. The meteorological station must be operated and maintained for the life of the Development.	Open	Correspondence from the meteorological station installer (Thompson Environmental Systems - 17/01/2017) which confirms the current meteorological station location as complying with the 'approved methods' has been sighted. Service reports sighted for 04/04/2017 and 16/11/2017. Boral maintenance checklist sighted.	Compliant
Development Consent (SSD 6525)	OK	B	Utilities and services	16	Prior to the construction of any utility works associated with the Development, the Applicant shall obtain relevant approvals from service providers.	Open	The expanded operations will not require further construction of utilities.	Not triggered
Development Consent (SSD 6525)	OK	B	Compliance	17	The Applicant shall ensure that employees, contractors and sub-contractors are aware of, and comply with, the conditions of this consent relevant to their respective activities.	Open	Visitors and contractors made aware of issues via induction, drivers provided driver code of conduct/transport handout. Site manager and supervisor receive frequent training and environmental updates (company/industry wide incidents/legislation updates). Site manager and supervisor relay environmental information to employees during toolbox talks/briefings and contractors during inductions. These documents have been witnessed.	Compliant
Development Consent (SSD 6525)	OK	B	Compliance	18	The Applicant shall be responsible for environmental impacts resulting from the actions of all persons that it invites onto the site, including contractors, sub-contractors and visitors.	Open	Visitors and contractors made aware of issues via induction, drivers provided driver code of conduct/transport handout. These documents have been witnessed.	Compliant
Development Consent (SSD 6525)	OK	B	Compliance	19	The Secretary at any time may require an update on compliance with all, or any part, of the conditions of this consent. Any such update shall meet the requirements of the Secretary and be submitted within such period as the Secretary may agree.	Open	No requests have been received. This independent environmental audit provides an update on compliance with the conditions of consent.	Not triggered
Development Consent (SSD 6525)	OK	B	Compliance	20	The Applicant shall meet the requirements of the Secretary in respect of the implementation of any measure necessary to ensure compliance with the conditions of this consent, and general consistency with the EIS and those documents listed under Condition B2. The Secretary may direct that such a measure be implemented in response to the information contained within any report, plan, correspondence or other document submitted in accordance with the conditions of this consent, within such time as the Secretary may agree.	Open	Condition D2 requires preparation of an OEMP prior to commencement of the expanded operations. The expanded operations have not commenced and will not commence during the timeframe of this audit. Notwithstanding, Boral has prepared the OEMP, which was submitted to DPE in December 2017. DPE responded on 19/01/2018 and requested further work on the OEMP to ensure it complies with Condition D2, and further consultation with EPA. The OEMP is being amended accordingly and will be submitted for approval prior to commencement of expanded operations.	Note

Development Consent (SSD 6525)	OK	B	Operation of plant and equipment	21	The Applicant shall ensure that all plant and equipment used for the Development is: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner.	Open	Six month work order spreadsheet sighted, example operator skills matrix sighted.	Compliant	
Development Consent (SSD 6525)	OK	B	Development contributions	22	The Applicant must pay a levy of the percentage authorised by Fairfield City Council Indirect (Section 94A) Development Contributions Plan 2011, of the proposed cost of carrying out the development. The levy must be paid prior to the commencement of the expanded operations. A copy of the receipt for the payment must be submitted to the Department within two months of payment. The amount of the levy that is payable to Council, calculated as at the date of the grant of this development consent is \$1,641.12.	Open	The most recent annual contribution was due and made on 19/01/2017. The next contribution is due prior to start of expended operations, which is yet to commence.	Compliant	
Development Consent (SSD 6525)	OK	B	Notification and surrender of consent	23	Prior to the commencement of the expanded operations, the Applicant shall provide written notification in the manner prescribed by Clause 97 of the Environmental Planning and Assessment Regulations 2000, and surrender the following consent: (a) DA No. 21-1-2002-1 granted by the Minister for Planning on 25 November 2002 for the construction and operation of a construction materials recycling facility.	Open	A letter from Boral dated 06/03/2018 notifying DPE of the intent to surrender DA 21-1-2002-1 was sighted.	Note	
Development Consent (SSD 6525)	Action	C	Waste management	1	The Applicant shall prepare a Waste Monitoring Program for the Development. This program must: (a) be prepared in consultation with the EPA by a suitably qualified and experienced expert within 3 months of the date of this consent; (b) include suitable provision to monitor the: (i) quantity, type and source of waste received on site; and (ii) quantity, type and quality of the outputs produced on site. (c) ensure that: (i) all waste that are controlled under a tracking system have the appropriate documentation prior to acceptance at the site; and (ii) staff receive adequate training in order to be able to recognise and handle any hazardous or other prohibited waste including asbestos.	Open	A waste monitoring program was prepared in June 2017 which has been sighted by the auditor. It contains the items required in the sub-conditions. This plan was not prepared within three months of the consent and correspondence with EPA and DPE has not been sighted from within that timeframe. The OEMP which is currently under review by DPE contains a waste monitoring program, which will be implemented prior to the commencement of the expanded operations. Correspondence with EPA and OEH has been sighted regarding the current OEMP and waste monitoring program. Current waste operations are managed under Appendix A.3 of the existing OEMP, which commenced in April 2016 and has been sighted by the auditor. It is noted that Appendix 2 of the consent states waste management during future operations would be consistent with current operations.	Administrative non-compliance	Low
Development Consent (SSD 6525)	OK	C	Waste management	2	The Applicant shall carry out the Development in accordance with the Waste Monitoring Program approved by the Secretary (as revised and approved by the Secretary from time to time), unless otherwise agreed by the Secretary.	Open	The waste monitoring program has not been approved yet and therefore it has not been implemented. This presents a low environmental risk as the inspection and receives protocol in Appendix A.3 of the existing OEMP is being implemented.	Compliant	
Development Consent (SSD 6525)	Action	C	Construction and operation hours	3	The Applicant shall comply with the construction and operation hours in Table 1 unless otherwise agreed to in writing by the Secretary. See 'Tables' tab.	Open	Construction for the expanded operations have not commenced yet. The weighbridge report for August 2017 has been sighted by the auditor. This shows loads being received just before 6am (earliest around 5:50am). Trucks are admitted onto site prior to 6am to alleviate queuing on the public road, in accordance with Condition C53(a). CCTV footage is available on request. No noise complaints have been registered from the community during out-of-hours periods.	Observation	Low
Development Consent (SSD 6525)	OK	C	Construction and operation hours	4	The Applicant must keep a record of Sunday works as identified in Table 1.	Open	The auditor sighted the daily reporting, which shows sales, receives and processing activities for each day. This showed one Sunday operation during November 2017, which was within the monthly limit for Sunday operations in Table 1 of the consent.	Compliant	
Development Consent (SSD 6525)	OK	C	Construction and operation hours	5	Condition C3 does not apply to any activity that is required to be performed by police or other authorities for safety reasons; and/or if there is an on-site emergency that poses an immediate danger to personnel or equipment; and/or the operation or personnel or equipment is endangered. In such circumstances, prior notification shall be provided to the EPA and any affected residents as soon as possible, or within a reasonable period in the case of emergency.	Open	Noted, has not occurred to date.	Note	
Development Consent (SSD 6525)	OK	C	Operational noise limits	6	The Applicant shall ensure noise from the operation does not exceed the limits in Table 2 below.	Open	Condition C7 requires noise to be monitored in accordance with the EPL, however, the EPL does not indicate when noise must be monitored. Therefore, noise has not been regularly monitored at the facility. The new OEMP, which is currently being reviewed by agencies, requires noise to be monitored every three years after consent. No noise complaints have been received from neighbours or the wider community.	Compliant	
Development Consent (SSD 6525)	OK	C	Noise and vibration monitoring	7	The Applicant shall carry out noise and/or vibration monitoring in accordance with any requirements in the EPL. This shall include verification that the facility is operating in accordance with the criteria outlined in Condition C6.	Open	The EPL does not indicate when noise must be monitored. Therefore, noise has not been regularly monitored at the facility. The new OEMP, which is currently being reviewed by agencies, requires noise to be monitored every three years after consent.	Note	
Development Consent (SSD 6525)	OK	C	Vibration criteria	8	The Applicant shall ensure that vibration resulting from the development does not exceed the continuous or impulsive vibration criteria in the EPA's Assessing Vibration: A Technical Guideline (February 2006) at residential receivers.	Open	The EIS predicted that the development would not result in vibration impacts to sensitive receivers due to the site's distance from receivers and because the types of equipment proposed to be used do not create significant levels of vibration. Crushing and screening plant have isolation mounts and vibration from wheeled vehicles is damped by tyres before being transmitted to the ground. The facility continues to use the types of plant and equipment described in the EIS. No community complaints regarding vibration have been received.	Compliant	
Development Consent (SSD 6525)	OK	C	Noise mitigation	9	The Applicant shall: (a) implement best management practice, including all reasonable and feasible noise management and mitigation measures to prevent and minimise operational, low frequency and traffic noise generated by the development; (b) minimise the noise impacts of the development during adverse meteorological conditions; (c) maintain the effectiveness of any noise suppression equipment on plant at all times and ensure defective plant is not used operationally until fully repaired; and (d) regularly assess any noise monitoring data and relocate, modify and/or stop operations to ensure compliance with the relevant conditions of this consent.	Open	The noise management measures in the existing OEMP are implemented onsite and no community complaints have been received regarding noise. As noted for Condition C6, noise is not regularly monitored as monitoring frequency is not stipulated in the EPL. Noise monitoring frequency and method is included in the new OEMP, which is to be implemented prior to commencement of the expanded operations. It is noted that the facility is not in a sensitive location, with the nearest residences over 1km from the site.	Compliant	

Development Consent (SSD 6525)	OK	C	Noise management	10	As part of the OEMP for the Development, required under Condition D2 of this consent, the Applicant shall prepare a Noise Management Plan. The Plan must: (a) be prepared by a suitably qualified and experienced person(s) in consultation with the EPA; (b) be approved by the Secretary prior to the commencement of the expanded operations; (c) include up to date site plans; (d) identify all major sources of noise that may be emitted as a result of the operation of the Development; (e) specify the noise criteria as it applies to the particular activity; (f) include procedures for the monitoring of noise emissions from development, in accordance with any requirements of the EPL; (g) include protocols for the minimisation of noise emissions including deployment of the noise mitigation measures outlined in Condition C9; (h) describe the procedures to be undertaken if any non-compliance is detected; and (i) detail the mechanisms to consider and address cumulative noise impacts in the context of development in the Greystanes Estate / Widemere Area.	Open	A noise management plan has been prepared which is currently being reviewed by agencies. The plan has been sighted by the auditor and mostly contains the items required by the sub-conditions, some of which are the subject of ongoing correspondence with DPE . Compliance has been set as a 'note' as the plan has been submitted for approval, however, approval has not yet been gained but neither have the expanded operations commenced.	Note
Development Consent (SSD 6525)	OK	C	Noise management	11	The Applicant shall carry out the Development in accordance with the Noise Management Plan approved by the Secretary (as revised and approved by the Secretary from time to time), unless otherwise agreed by the Secretary.	Open	Noted, the noise management plan is being reviewed by authorities. The plan is not required to be implemented yet as the expanded operations have not commenced.	Not triggered
Development Consent (SSD 6525)	OK	C	Odour	12	The Applicant shall ensure the Development does not cause or permit the emission of any offensive odour (as defined in the POEO Act).	Open	The septic system is the primary source of odour at the facility and it is serviced quarterly. No putrescible waste or green waste received on site. There have not been any complaints regarding odour.	Compliant
Development Consent (SSD 6525)	OK	C	Air quality	13	The Applicant shall carry out all reasonable and feasible measures to minimise dust generated by the Development.	Open	The existing OEMP contains a number of dust management measures which were observed to be operational during the site inspection, particularly the sprinklers (along roads and areas of high activity), hoses (directed at excavator buckets), speed limits and wheel wash. Recent dust management improvements include installation of new sprinklers on the entry road, carpark, workshop, stacker and picking huts. The new OEMP contains more extensive dust control measures and is being reviewed by DPE/EPA.	Compliant
Development Consent (SSD 6525)	OK	C	Air quality	14	The Applicant shall carry out air quality monitoring in accordance with any requirements in the EPL.	Open	Deposited dust is continuously monitored at Monitoring Point 1 and reported on a monthly basis (December 2017 test report and yearly summary sighted in <i>Widemere Recycling: Environmental Monitoring Report November 2017</i> .	Compliant
Development Consent (SSD 6525)	OK	C	Air quality	15	The Applicant shall ensure the development complies with any air quality limits in the EPL.	Open	There are no dust deposition limits in the EPL. However, the laboratory reports against the impact assessment criteria in <i>Approved methods for modelling and assessment of air pollutants in NSW (2016)</i> . There have been exceedances of the deposited dust guidelines.	Not triggered
Development Consent (SSD 6525)	OK	C	Air quality mitigation	16	The Applicant shall: (a) operate the Development so that air emissions are minimised during all meteorological conditions; (b) implement best management practice, including all reasonable and feasible air emissions mitigation measures to minimise emissions from the Development, including but not limited to: (i) limiting vehicle speed on-site to 30 kilometres per hour; (ii) ensuring all loaded vehicles entering or leaving the site have their loads covered; (iii) ensuring all loaded vehicles leaving the site are cleaned of dirt, sand and other materials before they leave the site, to avoid tracking these materials on public roads; and (iv) dust sprays through chemical suppressants, water sprays/misters.	Open	The existing OEMP contains the measures required in Condition C16, which were observed to be implemented on site. A best practice dust management benchmarking study was undertaken in June 2017 in accordance with the EPL, with outcomes reflected in the new OEMP to be implemented prior to the start of the expanded operations.	Compliant
Development Consent (SSD 6525)	OK	C	Dust management	17	As part of the OEMP for the Development, required under Condition D2 of this consent, the Applicant shall prepare a Dust Management Plan. The Plan must: (a) be prepared by a suitably qualified and experienced person(s) in consultation with the EPA; (b) be approved by the Secretary prior to the commencement of the expanded operations; (c) identify all major sources of dust that may occur as result of the operation of the development; (d) describe the procedures to manage the emission of dust from the sources identified; (e) identify the locations where monitoring of dust emissions is to be undertaken; (f) describe the procedures for the monitoring of dust emissions from the development, in accordance with any requirements of the EPL; (g) provide protocols for regular maintenance of process equipment to minimise the potential for dust emissions; (h) detail the deployment of the mitigation measures identified in Condition C 16; and (i) describe the procedures to be undertaken if any non-compliance is detected.	Open	A dust management plan has been prepared which is currently being reviewed by agencies. The plan has been sighted by the auditor and mostly contains the items required by the sub-conditions, some of which are the subject of ongoing correspondence with DPE. Compliance has been set as a 'note' as the plan has been submitted for approval, however, approval has not yet been gained but neither have the expanded operations commenced.	Note
Development Consent (SSD 6525)	OK	C	Dust management	18	The Applicant shall carry out the Development in accordance with the Dust Management Plan approved by the Secretary (as revised and approved by the Secretary from time to time), unless otherwise agreed by the Secretary.	Open	Noted, the dust management plan is being reviewed by authorities. The plan is not required to be implemented yet as the expanded operations have not commenced.	Note

Development Consent (SSD 6525)	OK	C	Air quality audit	19	The Applicant shall carry out an Air Quality Audit of the Development no later than six months after the commencement of the expanded operations. The audit must: (a) be carried out by a suitably qualified and experienced expert whose appointment has been endorsed by the Secretary; (b) audit the Development whilst it is in operation; (c) include a summary of air emission related complaints and any actions that were carried out to address the complaints; (d) validate the Development against air quality and odour predictions in the EIS; (e) review design and management practices of the Development against industry best practice for air emissions; and (f) include an action plan that identifies and prioritises additional air and mitigation measures that may be necessary to reduce air emissions.	Open	Noted, the expanded operations have not commenced.	Not triggered
Development Consent (SSD 6525)	OK	C	Air quality audit	20	Within three months of commissioning this audit, the Applicant shall submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report.	Open	Noted, the expanded operations have not commenced and Condition C19 has not been triggered.	Not triggered
Development Consent (SSD 6525)	OK	C	Air quality audit	21	The Applicant shall comply with any reasonable requirement(s) of the Secretary arising from the Air Quality Audit.	Open	Noted, the expanded operations have not commenced and Condition C20 has not been triggered.	Not triggered
Development Consent (SSD 6525)	OK	C	Pollution of waters	22	The Development shall comply with Section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided in an EPL.	Open	There were uncontrolled overflows at Monitoring Point 2 (Basin 2) on 02/03/2017 and 18/03/2017 due to runoff inflows exceeding the basin's design capacity. The EPL pH concentration limits were exceeded during both events and the total suspended solids concentration limit was exceeded during the 18/03/2017 event. Monitoring results were provided to EPA (correspondence from 03/03/2017 sighted), EPA did not require any actions. It is noted the EPL concentration limits apply to controlled releases.	Compliant
Development Consent (SSD 6525)	OK	C	Pollution of waters	23	Any discharge or water quality criteria specified under the EPL must be complied with.	Open	The EPL concentration limits apply to controlled discharges and there were no controlled discharges since the date of the development consent.	Compliant
Development Consent (SSD 6525)	OK	C	Pollution of waters	24	Surface water must only be discharged from the location specified in the EPL.	Open	There were no controlled discharges since the date of the development consent. The uncontrolled discharges were at the EPL water monitoring point (Monitoring Point 2).	Compliant
Development Consent (SSD 6525)	OK	C	Pollution of waters	25	Discharges of turbidity and/or suspended solids to waters from discharge point identified in condition EPL is only permitted when the discharge occurs solely as a result of rainfall at the premises exceeding a total of 45 millilitres over any consecutive 5-day period.	Open	There were uncontrolled overflows at Monitoring Point 2 (Basin 2) on 02/03/2017 (109mm) and 18/03/2017 (132mm) due to stormwater inflows exceeding the basin's design capacity. The EPL total suspended solids concentration limit was exceeded during the 18/03/2017 event. The EPA was notified on 20/03/2017 (correspondence sighted), EPA did not require any actions. It is noted the EPL concentration limits apply to controlled releases.	Compliant
Development Consent (SSD 6525)	OK	C	Pollution of waters	26	The Applicant shall undertake water quality monitoring at the discharge point and in accordance with the monitoring requirements described under this consent and the EPL.	Open	There were no controlled discharges since the date of the development consent. The uncontrolled discharges were at the EPL water monitoring point (Monitoring Point 2). Monitoring results were provided to EPA on 05/04/2017, EPA did not require any actions.	Compliant
Development Consent (SSD 6525)	OK	C	Erosion and sediment control	27	All soil and/or vegetation disturbed or removed from the site shall be disposed of to, or stored at, an appropriate location where it cannot be washed off the site.	Open	Noted, there has not been any vegetation or soil disturbance since consent as construction for the expanded operations has not commenced.	Not triggered
Development Consent (SSD 6525)	OK	C	Erosion and sediment control	28	All construction vehicles exiting the site, having had access to unpaved areas, shall depart via a wheel-wash facility.	Open	Noted, no construction vehicles have exited the site as construction for the expanded operations has not commenced.	Not triggered
Development Consent (SSD 6525)	OK	C	Erosion and sediment control	29	The Applicant shall implement erosion and sediment control measures during construction in accordance with Landcom's Managing Urban Stormwater: Soils and Construction guideline.	Open	Noted, no construction erosion or sediment control measures have been required as construction for the expanded operations has not commenced.	Not triggered
Development Consent (SSD 6525)	OK	C	Bunding	30	The Applicant shall store all chemicals, fuels and oils used on-site in appropriately bunded storage areas in accordance with the requirements of all relevant Australian Standards and the EPA's Storing and Handling Liquids: Environmental Protection - Participants Manual 2007.	Open	Chemicals stored in flammable liquids cabinet in workshop, primary fuel in bunded and covered tank, secondary fuel in self bunded container, oils and greases in self bunded container.	Compliant
Development Consent (SSD 6525)	OK	C	Site drainage and surface water management	31	Within six months of the expanded operations, the Applicant shall provide certification from a suitably qualified engineer that the internal surfaces of the surface water detention basins have been maintained to the equivalent to, or better than, a clay liner with a permeability of $1 \times 10^{-9}$ ms <sup>-1</sup> or less and a thickness of no less than 900 mm and whether any repairs are necessary. The documentation of the certification shall be provided to the EPA and Secretary.	Open	Noted, not triggered as expanded operations have not commenced yet.	Not triggered
Development Consent (SSD 6525)	OK	C	Site drainage and surface water management	32	Should the certification as per Condition C31 identify that repairs are required, these repairs shall be carried out within two months of the certification.	Open	Not triggered as expanded operations have not commenced yet.	Not triggered
Development Consent (SSD 6525)	OK	C	Site drainage and surface water management	33	The Applicant shall maintain all surface water infrastructure to direct all surface water runoff to the site's surface water detention basins.	Open	Runoff from the dust suppression sprinklers was observed flowing along the flow paths shown in Appendix A of <i>Surface Water Assessment: Widemere Recycling Facility (2015)</i> . The flows paths and pits were unobstructed and clear of debris. Water was flowing into Basin 1, which was not high enough to flow into Basin 2.	Compliant

Development Consent (SSD 6525)	OK	C	Site drainage and surface water management	34	Only water contained in the site's secondary surface water detention basin (sediment basin 2- as identified in Appendix 1) is permitted to be applied to land and stockpiles within the site. Spray from the application of this water must not drift beyond the boundary of the area to which it is applied.	Open	Water was being pumped from Basin 2 to the dust suppression sprinklers during the site inspection. No water spray drift was observed.	Compliant
Development Consent (SSD 6525)	OK	C	Site drainage and surface water management	35	The Applicant shall maintain the surface water detention basins on site with a minimum capacity to contain 45 millilitres of rainfall over any consecutive 5 day period. The capacity requirements of the sediment basins may be modified by the EPL.	Open	There are 2 water level markers in Basin 2, a meter marker and colour coded marker (green, yellow, red sections). When the water level enters the yellow section it is nearing the limit above which it is unlikely to contain the minimum 45mm rainfall capacity and is pumped to the water tanks. Basin 2 is checked daily during pre-start meeting, and recorded monthly (checklist sighted).	Compliant
Development Consent (SSD 6525)	OK	C	Site drainage and surface water management	36	The Applicant shall ensure that a visible marker is installed in each sediment retention basin in a position that shows the freeboard in the basin that equates to the volume required to contain all rainfall and runoff in the catchment from a 45 millilitre rainfall event over any consecutive 5 day period or as modified by the EPL.	Open	There are 2 water level markers in Basin 2, a metre marker and colour coded marker (green, yellow, red sections). When the water level enters the yellow section it is nearing the limit above which it is unlikely to contain the minimum 45mm rainfall capacity. There is a metre marker in Basin 1.	Compliant
Development Consent (SSD 6525)	OK	C	Site drainage and surface water management	37	The sediment basin liner shall be monitored every 3 years to ensure a clay liner of permeability of $1 \times 10^{-9} \text{ ms}^{-1}$ or less and a thickness of no less than 900 mm is maintained.	Open	Noted, consent has only be operating for 1 year so far.	Not triggered
Development Consent (SSD 6525)	OK	C	Groundwater	38	Within six months of the commencement of the expanded operations. The Applicant shall conduct a Groundwater Monitoring Program. The program must: (a) be carried out by a suitably qualified and experienced expert in consultation with the EPA and to the satisfaction of the Secretary; (b) assess the potential for leakage of the sediment basins to groundwater; (c) detail baseline data, groundwater levels and quality against the relevant criteria; (d) provide mitigation and contingency measures to prevent the sediment basins from leaking; and (e) identify further groundwater monitoring if required.	Open	Not triggered as expanded operations have not commenced yet.	Not triggered
Development Consent (SSD 6525)	OK	C	Groundwater	39	Within three months of the completion of the Groundwater Monitoring Program, the Applicant shall submit a copy of the Groundwater Monitoring Program as identified in Condition C38 to the Secretary and the EPA.	Open	Not triggered as expanded operations have not commenced yet.	Not triggered
Development Consent (SSD 6525)	OK	C	Groundwater	40	The Applicant shall comply with any reasonable requirement(s) of the Secretary arising from the Groundwater Monitoring Program.	Open	Not triggered as expanded operations have not commenced yet.	Not triggered
Development Consent (SSD 6525)	OK	C	Surface water mitigation and monitoring plan	41	Prior to any controlled discharges permitted under the EPL the Applicant must provide a Surface Water Mitigation and Monitoring Plan, the plan must: (a) be prepared by a suitably qualified and experienced expert; (b) be approved by the Secretary in consultation with the EPA; (c) provide a description and map of the surface water processes and surface water management infrastructure; (d) outline the measures to control and manage surface water (including erosion and sedimentation) associated with the Development; (e) detail how water used for dust depression will be managed to ensure excessive run-off is not generated at the site; (f) consider the human health risks associated with the surface water reuse process at the site; (g) include details of the maintenance procedures of the sediment basins and surface water infrastructure; (h) describe the procedures for maintaining vegetation along surface water channels and detention systems, to minimise the potential for erosion; (i) provide details and outcomes of the water balance review and water quality characterisation as required by the EPL; (j) identify and justify practical measures that could be deployed at the site to minimise water pollution; (k) identify preferred mitigation measures along with timeframes for implementation; (l) establish an ongoing runoff discharge monitoring program to validate the proposed mitigation measures; (m) identify measures for managing pollutant exceedances; (n) identify contingency options to account for any mitigation measures that do not adequately address the site water pollution risks; (o) include a review and justify the flocculants and coagulants used on-site; and (p) conduct a review of the methods and chemicals used for pH adjustment in sediment basin.	Open	A water pollution management program under the EPL applies to the Facility, which prohibits the controlled discharge of water from the facility until a surface water discharge characterisation assessment is undertaken and a surface water mitigation and monitoring plan has been approved by EPA. The surface water mitigation and monitoring plan has been prepared and submitted to EPA for approval under the water pollution management program and DPE as required under Condition C41. Therefore, there have not been any controlled discharges of water from the facility since development consent was granted. There were discharges of water from the facility at the end of February 2017 associated with heavy rain. Boral notified EPA (02/03/2017), which was satisfied the discharge was uncontrolled (03/03/2017). Compliance is registered as a note as this process is underway.	Note
Development Consent (SSD 6525)	OK	C	Surface water mitigation and monitoring plan	42	The Applicant shall carry out the Development in accordance with the Surface Water Mitigation and Monitoring Plan (including the implementation of mitigation measures) approved by the Secretary (as revised and approved by the Secretary from time to time), unless otherwise agreed by the Secretary.	Open	Not triggered as surface water mitigation and monitoring plan not approved yet.	Not triggered



Development Consent (SSD 6525)	OK	C	Water quality validation	43	Within three months of implementing the Surface Water Mitigation and Monitoring Plan, the Applicant shall provide a Surface Water Validation Report, which shall: (a) be carried out by a suitably qualified and experienced expert; (b) be approved by the Secretary in consultation with the EPA; (c) detail the results of the Surface Water Mitigation and Monitoring Plan; (d) provide a characterisation of the water quality discharged in accordance with ANZECC (2000) assessment criteria; (e) ensure surface water is being managed in accordance the EPL; (f) provide an assessment of the effectiveness of implemented mitigation measures; (g) confirm that the site water balance including validation of the sediment pond storage and predicted discharge volume is consistent with the potential pollutant risks; (h) if necessary, propose additional mitigation measures to control and/or treat all pollutants that represent a risk of non-trivial harm; and (i) update the Surface Water Mitigation and Monitoring Plan to reflect any changes to the surface water management system.	Open	Not triggered as surface water mitigation and monitoring plan not approved yet.	Not triggered
Development Consent (SSD 6525)	OK	C	Water quality validation	44	Any alterations to the surface water management system identified in the Surface Water Validation Report must be implemented prior to any further controlled discharges to the satisfaction of the Secretary.	Open	Not triggered as surface water validation plan plan not required yet.	Not triggered
Development Consent (SSD 6525)	OK	C	Water quality validation	45	The Applicant must comply with any amended water quality criteria and discharge limits identified in the EPL.	Open	Not triggered as surface water validation plan plan not required yet.	Not triggered
Development Consent (SSD 6525)	OK	C	Surface water audit	46	The Applicant shall carry out an independent Surface Water Audit of the Development, in consultation with the EPA, following completion of the Surface Water Validation Report or as directed by the Secretary. The audit must: (a) be carried out by a suitably qualified and experienced expert whose appointment has been endorsed by the Secretary; (b) audit the Development whilst it is in operation; (c) validate the development against the Surface Water Mitigation and Monitoring Plan; (d) include a summary of any EPL water quality exceedances; (e) review design and management practices of the Development against industry best practice for surface water; (f) include an action plan that identifies and prioritises additional surface water mitigation measures and/or treatment options that may be necessary to reduce surface water impacts; and (g) provide a further program of monitoring to address water quality issues that may emerge over time.	Open	Not triggered as validation report is not required yet.	Not triggered
Development Consent (SSD 6525)	OK	C	Surface water audit	47	Within three months of commissioning this audit, the Applicant shall submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report.	Open	Not triggered as validation report is not required yet.	Not triggered
Development Consent (SSD 6525)	OK	C	Surface water audit	48	The Applicant shall comply with any reasonable requirement(s) of the Secretary arising from the Surface Water Audit.	Open	Not triggered as validation report is not required yet.	Not triggered
Development Consent (SSD 6525)	OK	C	Contamination	49	Prior to the commencement of construction of the realigned haul road as identified in Appendix 1, the Applicant shall prepare an unexpected finds protocol to ensure that potentially contaminated material is appropriately managed. Any material identified as contaminated shall be disposed offsite, with the disposal location and results of testing submitted to the Secretary, prior to its removal from the site.	Open	Noted, construction is scheduled to commence once the management plans required under Schedule D are approved by DPE.	Not triggered
Development Consent (SSD 6525)	OK	C	Contamination	50	The Applicant shall implement the unexpected finds protocol developed under Condition C49 for the duration of construction works.	Open	Noted, the protocol will include the period it is to be in force.	Not triggered
Development Consent (SSD 6525)	OK	C	Parking	51	The Applicant shall maintain provision for 37 car parking spaces on the site. The spaces must conform to the relevant specifications in the latest version of Australian Standard 2890.1.	Open	There are 37 parking spaces at the site. The spaces exceed the dimension in Figure 2.2 of the Australian Standard for user class 1 (employee) vehicles.	Compliant
Development Consent (SSD 6525)	OK	C	Parking	52	Accessible, visitor and service vehicle parking spaces must be clearly signposted and designated in accordance with the relevant Australian Standards.	Open	Signs were observed showing visitor and disabled parking spaces and areas. Service vehicles park adjacent to plant and equipment requiring maintenance.	Compliant

Development Consent (SSD 6525)	OK	C	Operating conditions	53	The Applicant shall ensure that: (a) the Development does not result in any vehicles parking or queuing on the public road network; (b) the realigned haul road (as identified in Appendix 1) is constructed and maintained in accordance with the relevant Australian Standards; (c) all vehicles are wholly contained on site before being required to stop; (d) all loading and unloading of heavy vehicles is carried out on-site, in particular, all materials when first received at the site shall be unloaded at the receivals area in the north of the site as identified in Appendix 1; (e) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times; (f) all heavy vehicles associated with the Development have their loads covered and do not track dirt onto public roads; (g) all vehicles enter and leave the site in a forward direction; and (h) all vehicles exiting the site, that have accessed unpaved areas, shall depart via a wheel wash facility.	Open	Response as follows: (a) No vehicles were observed queuing on public roads and no complaints have been received regarding vehicle queuing. (b) The realigned haul road has not been constructed yet. (c) There is approximately 160m between the public road and weighbridge, which is several truck lengths and ample room for stopped vehicles to be wholly contained on site. (d) Materials were observed to be offloaded at the receivals area. (e) No obstacles to turning were observed in the car park. (f) Vehicles entering and leaving the site were observed to have their load areas covered. There is an area on site for drivers to stop, cover their load areas and check vehicles for debris before leaving the Facility. (g) All vehicles were observed to be entering and leaving the Facility in a forward direction. The traffic circulation plan is designed to enable vehicles to enter and depart in a forward direction. (h) An operating wheel wash was observed at the site exit.	Compliant
Development Consent (SSD 6525)	OK	C	Driver code of conduct	54	The Applicant shall implement a Driver Code of Conduct for heavy vehicle drivers associated with the Development. The code must: (a) be submitted to and approved by the Secretary within 3 months of the commencement of the expanded operations; (b) be distributed to all the drivers of heavy vehicles associated with the Development; and (c) include provisions relating to: (i) the approved haul routes; (ii) the operating conditions; (iii) the maintenance of engine noise and pollution control equipment; and (iv) driving practices the minimise noise emissions on potentially affected residences.	Open	Not triggered as expanded operations have not commenced yet.	Not triggered
Development Consent (SSD 6525)	OK	C	Heritage	55	The Applicant shall cease all works on site in the event that any Aboriginal cultural object(s) or human remains are uncovered onsite. The NSW Police, the Aboriginal Community and the OEH are to be notified. Works shall not resume in the designated area until consent in writing from the NSW Police and/or the OEH has been obtained.	Open	No human remains have been discovered onsite since the consent was granted. The new OEMP includes an unexpected find/human remains protocol.	Not triggered
Development Consent (SSD 6525)	OK	C	Lighting	56	All external lighting associated with the Development shall be mounted, screened, and directed in such a manner so as not to create a nuisance to the surrounding environment, properties and roadways. The lighting shall be the minimum level of illumination necessary and shall comply with Australian Standard AS4282 1997- Control of the Obtrusive Effects of Outdoor Lighting.	Open	There are no sensitive residential receivers near the Facility, with nearest residence over 1km to the east. Flood lighting used to illuminate areas towards the east of the site is directed downwards. There is substantial vegetation screening and earth bunding on the eastern side of the Facility, which shields Prospect Highway and residences from lighting.	Compliant
Development Consent (SSD 6525)	OK	C	Signage	57	The Applicant shall not install any advertising signs on site without the written consent of the Secretary.	Open	The auditor did not observe any advertising signs onsite.	Compliant
Development Consent (SSD 6525)	OK	C	Flora and fauna	58	The Applicant shall: (a) avoid clearing the Swamp Oak Floodplain Forest EEC (with the exception of the 12 juvenile Swamp Oaks identified in the EIS) at the southern end of the site and ensure this stand is protected and maintained during construction and operation of the Development; (b) implement suitable measures to manage and prevent the spread of notifiable weeds on site as defined in the Noxious Weeds Act 1993; and (c) ensure landscaping along the eastern boundary of the site is maintained throughout the life of the Development.	Open	No EEC has been impacted as new southern road has not been constructed yet. There is a bund to prevent escape of surface water and a fence to prevent personnel from accessing EEC. Two property management contractors have been used in 2017 to manage weeds (Skyline Landscape Services and Grima's Property Maintenance). Weeds are managed every three months. Some weeds were observed around the water management structures, however, the site inspection occurred in spring during the main growing season. It is believed that sufficient measures are in place to have prevented the further growth and spread of these weeds. Casuarina trees are maintained along the south-eastern boundary and shrubs are maintained on a bund on the north-eastern boundary of the site. These plants and bund prevent views to the facility from the east except at the entrance.	Compliant
Development Consent (SSD 6525)	OK	C	Security	59	The Applicant shall: (a) install and maintain a perimeter fence and security gates on the site; and (b) ensure that the security gates on site are locked whenever the site is unattended.	Open	The auditor observed that the facility is surrounded by security fences and that there are padlocked gates at the entry and exit points.	Compliant
Development Consent (SSD 6525)	OK	C	Hazards and risk	60	The quantities of dangerous goods stored and handled at the site shall be below the threshold quantities listed in the Department of Planning's Hazardous and Offensive Development Application Guidelines - Applying SEPP 33 at all times.	Open	Up to 2,000L of oil and small amounts of other combustible liquids are stored over 60m from publicly accessible areas, which is below the potentially hazardous region for these substances in <i>Applying SEPP 33</i> .	Compliant
Development Consent (SSD 6525)	OK	D	Construction environmental management plan	1	The Applicant shall implement a Construction Environmental Management Plan during construction work for the Development. The Plan must: (a) be prepared by a suitably qualified and experienced expert; (b) be submitted to and approved by the Secretary prior to the commencement of construction; (c) details of erosion, sediment and pollution control measures and practices to be implemented during construction of the realigned haul road (as identified in Appendix 1); (d) describe all activities to be undertaken on the site during construction an outline all management practises and procedures; (e) identify the statutory approvals that apply to the Development; (f) describe of the roles and responsibilities for all relevant employees involved in construction; and (g) include arrangements for complaints handling procedures during construction.	Open	Not triggered, will occur prior to constructing new road.	Not triggered

Development Consent (SSD 6525)	OK	D	Operational environmental management plan	2	The Applicant shall implement an Operational Environmental Management Plan for the Development. This plan must: (a) be prepared by a suitably qualified and experienced expert; (b) be submitted to and approved by the Secretary prior to the commencement of the expanded operations; (c) provide a strategic framework for environmental management of the Development; (d) identify the statutory approvals that apply to the Development; (e) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the Development; (f) detail the commissioning period, including surface water monitoring and the deployment of mitigation measures; (g) describe in general how the environmental performance of the Development would be monitored and managed; (h) include the relevant plans listed in Schedule C; (i) include a process for ongoing review and update of the OEMP (including documenting any changes to the development, surface water manage system and mitigation measures identified in the surface water mitigation and monitoring plan and any audits); (j) describe the procedures that would be implemented to: (i) keep the local community and relevant agencies informed about the operation and environmental performance of the Development; (ii) receive, handle, respond to, and record complaints; (iii) resolve any disputes that may arise; (iv) respond to any non-compliance; and (v) respond to emergencies.	Open	The expanded operations have not commenced and will not commence during the timeframe of this audit. Notwithstanding, Boral has prepared the OEMP, which was submitted to DPE in December 2017. DPE responded on 19/01/2018 and requested further work on the OEMP to ensure it complies with Condition D2, specifically sub conditions (c), (e), (f), (j)(ii) and (j)(iv-v), and further consultation with EPA. The OEMP is being amended accordingly.	Note
Development Consent (SSD 6525)	OK	D	Management Plan Requirements	3	The Applicant shall ensure that the environmental management plans required under this consent are prepared in accordance with any relevant guidelines and include: (a) detailed baseline data; (b) a description of: (i) the relevant statutory requirements (including any relevant approval, licence or lease conditions); (ii) any relevant limits or performance measures/criteria; (iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the Development or any management measures; (iv) the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria; (c) a program to monitor and report on the: (i) impacts and environmental performance of the Development; (ii) effectiveness of any management measures; (iii) a contingency plan to manage any unpredicted impacts and their consequences; (iv) a program to investigate and implement ways to improve the environmental performance of the Development over time; (d) a protocol for managing and reporting any: (i) incidents; (ii) complaints; (iii) non-compliances with statutory requirements; and (iv) exceedances of the impact assessment criteria and/or performance criteria; and (v) a protocol for periodic review of the plan.	Open	The expanded operations have not commenced and will not commence during the timeframe of this audit. Notwithstanding, Boral has prepared the OEMP, which was submitted to DPE in December 2017. DPE responded on 19/01/2018 and requested further work on the OEMP to ensure it complies with Condition D3, specifically the waste monitoring program (C1(a)), noise management plan (C10(c, g, i)), dust management plan (C17(g), D3(a)), groundwater monitoring program (C38(b, d)) and surface water mitigation and monitoring plan (C41(b, f, h, p)). The OEMP is being amended accordingly.	Note
Development Consent (SSD 6525)	OK	D	Management Plan Requirements	4	The Secretary may waive some of the requirements in Condition D3 if they are unnecessary or unwarranted for particular management plans.	Open	Boral has not requested that any requirements be waived.	Not triggered
Development Consent (SSD 6525)	Action	D	Incident reporting	5	The Applicant shall notify, at the earliest opportunity, the Secretary and any other relevant agencies of any incident that has caused, or threatens to cause, material harm to the environment. For any other incident associated with the Development, the Applicant shall notify the Secretary and any other relevant agencies as soon as practicable after the Applicant becomes aware of the incident. Within 7 days of the date of the incident, the Applicant shall provide the Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.	Open	Asbestos containing material (ACM) was unknowingly received onsite and a portion was delivered to a customer. Boral notified EPA as soon as it became aware of the presence of the ACM and tested and removed it from the customer premises and the facility. The EPA was satisfied with the actions taken by Boral and did not issue any notices or penalties. This was regarded as an unexpected find under the inspection and receivals protocol. The EPA requested Boral amend the annual return to note a non-compliance with EPL Condition L4.1. Boral notified DPE of the receipt of ACM and revision of the annual return on 13/02/18 (correspondence sighted). There are no penalty notices, clean up notices or prevention notices for the site listed on EPA's POEO Public Register.	Observation
Development Consent (SSD 6525)	OK	D	Regular reporting	6	The Applicant shall provide regular reporting on the environmental performance of the Development on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent.	Open	The new OEMP contains reporting requirements, however, it has not been implemented yet as it is being reviewed by agencies and the expanded operations have not commenced yet.	Not triggered

Development Consent (SSD 6525)	OK	D	Independent Environmental Audit	7	Within 1 year of the date of this consent, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the Development. This audit must: (a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary; (b) led by a suitably qualified auditor, and include experts in fields specified by the Secretary; (c) include consultation with the relevant agencies; (d) assess the environmental performance of the Development and assess whether it is complying with the requirements in this consent, and any other relevant approvals and relevant EPL/s (including any assessment, plan or program required under these approvals); (e) review the adequacy of any approved strategy, plan or program required under the abovementioned consents; and (f) recommend measures or actions to improve the environmental performance of the Development, and/or any strategy, plan or program required under these consents.	Open	This audit has been commissioned as required by the condition. This is the first audit and was commissioned on 25/11/2017, which is within one year of the consent. The DPE has endorsed the audit team via a letter dated 21/12/2017. The DPE, EPA and Fairfield City Council were invited to provide feedback on the facility via email on 31/01/2018. The environmental performance and adequacy of strategies, plans and programs is assessed in this table and attached report. The compliance for this condition has been set as 'note' as the process will conclude after submission of this report.	Note
Development Consent (SSD 6525)	OK	D	Independent Environmental Audit	8	Within three months of commissioning this audit, or as otherwise agreed by the Secretary, the Applicant shall submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report.	Open	The compliance for this condition has been set as 'note' as the process will conclude after submission of this report.	Note
Development Consent (SSD 6525)	OK	D	Annual review	9	Within one year of the date of this consent, and every year thereafter, the Applicant shall review the environmental performance of the Development to the satisfaction of the Secretary. This review must: (a) describe the Development that was carried out in the previous calendar year, and the Development that is proposed to be carried out over the next year; (b) include a comprehensive review of the monitoring results and complaints records of the Development over the previous calendar year, which includes a comparison of these results against the: (i) the relevant statutory requirements, limits or performance measures/criteria; (ii) requirements of any plan or program required under this consent; (iii) the monitoring results of previous years; and (iv) the relevant predictions in the EIS; (c) identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance; (d) identify any trends in the monitoring data over the life of the Development; (e) identify any discrepancies between the predicted and actual impacts of the Development, and analyse the potential cause of any significant discrepancies; and (f) describe what measures will be implemented over the next year to improve the environmental performance of the Development.	Open	The annual review for the period 25/11/2016 to 24/11/2017 has been submitted to DPE for review. Feedback has not been received yet so it is uncertain if DPE is satisfied with the review and if this condition is compliant.	Note
Development Consent (SSD 6525)	OK	D	Review of strategies, plans and programs	10	Within three months of the submission of an: (a) annual review under Condition D9 above; (b) incident report under Condition D5 above; (c) audit under Condition D7 above; or (d) any modification to this consent, the Applicant shall review, and if necessary revise, the strategies, plans, and programs required under this consent to the satisfaction of the Secretary. Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the Development..	Open	The following have been submitted: (a) Annual review in December 2017: the new OEMP was been prepared during the course of the annual review process and has been submitted for approval. (b) Incident report: no reportable incidents have occurred since the consent was granted. (c) Audit: this audit comprises the independent environmental audit required under Condition D7. The OEMP will need to be reviewed and revised if identified as necessary as a result of this audit. (d) Modification to consent: the consent was modified in October 2017 to incorporate a new lot for the meteorological station and the new OEMP reflects this modification.	Compliant
Development Consent (SSD 6525)	OK	D	Review of strategies, plans and programs	11	The Applicant shall ensure that the operation of the Development is undertaken in accordance with all relevant updated and/or amended strategies, management plans and programs approved by the Secretary (or as revised and approved by the Secretary), unless otherwise agreed by the Secretary.	Open	Condition D2 requires preparation of an OEMP prior to commencement of the expanded operations subject to Modification 1. The expanded operations have not commenced and will not commence during the timeframe of this audit. Notwithstanding, Boral has prepared the OEMP, which was submitted to DPE in December 2017. DPE responded on 19/01/2018 and requested further work on the OEMP to ensure it complies with Condition D2, and further consultation with EPA. The OEMP is being amended accordingly and will be submitted for approval prior to commencement of expanded operations.	Not triggered

Development Consent (SSD 6525)	OK	D	Access to information	12	<p>The Applicant shall:</p> <p>(a) make copies of the following publicly available on its website:</p> <p>(i) the documents referred to in Condition D2;</p> <p>(ii) all current statutory approvals for the Development;</p> <p>(iii) all approved strategies, plans and programs required under the conditions of this consent;</p> <p>(iv) a comprehensive summary of the monitoring results of the Development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;</p> <p>(v) a complaints register, updated on a monthly basis;</p> <p>(vi) minutes of any community meetings held by the Applicant;</p> <p>(vii) the annual reviews of the Development;</p> <p>(viii) any independent environmental audit of the Development, and the Applicant's response to the recommendations in any audit;</p> <p>(ix) any other matter required by the Secretary; and</p> <p>(b) keep this information up to date and to the satisfaction of the Secretary.</p>	Open	<p>The following items required under the condition are available on the facility's website:</p> <p>(a)(i) Documents in Condition D2: Condition D2 requires preparation of an OEMP prior to commencement of the expanded operations. The expanded operations have not commenced and will not commence during the timeframe of this audit. Notwithstanding, Boral has prepared the OEMP, which was submitted to DPE in December 2017.</p> <p>(ii) Statutory approvals: Development Consent SSD 6525 is on the website.</p> <p>(iii) Approved strategies, plans and programs required by the consent:</p> <ul style="list-style-type: none"> <li>- No strategies are required.</li> <li>- Condition C1: there is no waste monitoring program on the website as it has not been approved by DPE yet.</li> <li>- Condition C38: the groundwater monitoring program will not commence until within 6 months after the start of expanded operations.</li> <li>- Condition C41: the discharge monitoring program required in the surface water mitigation and monitoring plan has not been placed on the website yet as the plan is being reviewed by agencies and there no planned discharges.</li> <li>- Condition D3: the monitoring program/improvement program required in the management plans has not been placed on the website yet as the management plans are being reviewed by agencies and the expanded operations have not commenced yet.</li> <li>- See (a)(i) above for OEMP.</li> <li>- Condition D1: the construction environmental management plan has not been prepared, approved or placed on the website yet as a start date for construction of the expanded operations has not been decided.</li> </ul> <p>(iv) The December monitoring report is on the website, which reports air quality monitoring results. It does not contain water quality monitoring results as there have not been any planned discharges since development consent was granted.</p> <p>(v) There is a complaints register on the website.</p> <p>(vi) No community meetings have been held since development consent was granted.</p> <p>(vii) The only annual review required since development consent was granted has not been finalised as it is being reviewed by DPE.</p> <p>(viii) This audit is the only independent environmental audit required since development approval was granted.</p> <p>(ix) No other matters have been required by the Secretary.</p> <p>(b) A large amount of information will be placed on the website in the coming months as the management plans, annual review and independent environmental audit are finalised.</p>	Compliant
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# APPENDIX C GOVERNMENT AUTHORITY CORRESPONDENCE



DOC18/57843-01

Element Environmental  
PO Box 1563  
WARRIEWOOD NSW 2102

**EMAIL**

**1 February 2018**

Dear Mr Roberts

**Widemere Recycling Facility - Independent Audit - EPA feedback**

Thank you for your letter dated 31 January 2018, requesting feedback on an independent audit to be conducted of Boral Recycling Pty Limited's Widemere Recycling Facility. Boral Recycling Pty Limited (**Boral**) holds environment protection licence 11815 (**the Licence**) for its facility at 38 Widemere Road, Wetherill Park NSW 2164 (**the Premises**).

The EPA provides the following comments for your consideration.

**Water pollution management**

A key issue identified at the Premises is water pollution management. The EPA placed a pollution reduction program (**PRP**) on the licence in October 2016 to address this issue. Boral is still in the process of completing the requirements of this PRP.

**Management Plans**

The EPA understands that development consent SSD6525 requires Boral to prepare a variety of management plans. We understand these plans have not yet been completed or approved.

Boral submitted a draft copy of the following plans to the EPA on 27 October 2017:

- Waste Monitoring Program;
- Noise Management Plan; and
- Air Quality Management Plan.

The EPA made comment on these plans on 9 November 2017. The EPA understands that these plans have been amended and submitted to the Department of Planning and Environment. The EPA has not seen these amended plans.

If you have any questions regarding this matter, please contact Melissa Ward on 9995 5747.

Yours sincerely

A handwritten signature in black ink that reads 'Spitts.' with a period at the end.

**DEANNE PITTS**  
**A/Unit Head Waste Compliance**  
**Environment Protection Authority**



**From:** Peta Lette  
**To:** [Mark Roberts](#)  
**Subject:** RE: Attn: environmental compliance officer. Re Widemere Recycling Facility environmental audit  
**Date:** Tuesday, 6 February 2018 2:47:11 PM  
**Attachments:** [image002.jpg](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)

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Dear Mark

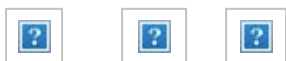
A check of Council's complaint register showed that Council has not received any community complaints regarding the Widemere Recycling Facility Wetherill Park (SSD 6525)

Regards

**Peta Lette**

Co-ordinator Environmental Management | Environmental Management  
City Development & Compliance

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P 9725 0289 | M 0400 635535 | F 9725 4249  
[www.fairfieldcity.nsw.gov.au](http://www.fairfieldcity.nsw.gov.au)



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**From:** Mark Roberts [mailto:[mark.roberts@elementenvironment.com.au](mailto:mark.roberts@elementenvironment.com.au)]  
**Sent:** Wednesday, 31 January 2018 1:07 PM  
**To:** Mail Mail  
**Cc:** PR70  
**Subject:** Attn: environmental compliance officer. Re Widemere Recycling Facility environmental audit

ATTN: Environmental Compliance Officer

Hello,

Element Environment has been engaged to independently audit Boral Recycling's Widemere Recycling Facility against the conditions in its development consent and invites Council to provide feedback – please see attached letter.

We are seeking feedback on Council's observations on the facility's environmental performance and if Council has received any community complaints about the facility.

Kind regards

Mark

**Mark Roberts**

Senior Environmental Scientist



**Sydney Newcastle Central Coast Townsville**

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**e** [mark.roberts@elementenvironment.com.au](mailto:mark.roberts@elementenvironment.com.au)

**w** [www.elementenvironment.com.au](http://www.elementenvironment.com.au)

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